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ER 86-1163
OCA 86-0958

DCA 86-0958

The Director of Central Intelligence

Washington, D.C. 20505

11 April 1986

The Honorable Dave Durenberger
Chairman
Select Committee on Intelligence
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I write in response to your letter of March 18.

I appreciate your expression of support for the concerns I outlined in my letter of December 24, 1985 to Chairman Hamilton of the House Permanent Select Committee on Intelligence.

I believe that the interpretation of Senate Resolution 400 and Title V of the National Security Act set forth in your letter of March 5 is consistent with the position I took in my letter to Chairman Hamilton. I trust we can agree it is appropriate and proper for the Agency to cooperate with non-oversight committees on matters clearly within their jurisdiction if it can be accomplished without exposing sensitive sources and methods of intelligence. Furthermore, the Agency remains prepared to furnish intelligence products to non-oversight committees that have a demonstrated need for them. At the same time, we are in accord that sensitive sources and methods information, operational details and information concerning those special intelligence activities called "covert actions", fall within the Committee's exclusive jurisdiction. We will continue to view our oversight committees as the solely authorized recipients of such matters.

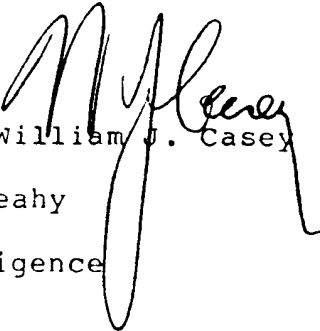
I, too, recognize that judgments may turn on the facts and circumstances of a particular case. Nonetheless, our letters reflect that we share the same basic position on this important subject. Proceeding from that position, I believe we can work together to insure effective Congressional oversight as well as the protection of sensitive intelligence information.



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Let me also thank you for your continuing extension of the Committee's good offices and physical facilities for use by the Agency in its dealings with other Senate Committees and Members. While it may seem a relatively small matter, on a day-to-day basis it goes a long way towards easing the concerns which I expressed.

Sincerely,


William J. Casey

cc: The Honorable Patrick J. Leahy
Vice Chairman
Select Committee on Intelligence

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LEG/OCA (31 Mar 86)

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Executive Secretary

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March 18, 1986

The Honorable William J. Casey
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Bill:

We are sympathetic to the concerns you expressed late last year in your letter to Chairman Hamilton of the House Permanent Select Committee on Intelligence regarding requests for CIA information from various other House committees. While we cannot speak directly to the situation in the House of Representatives, our impression is that the issue has arisen with less frequency and intensity in the Senate.

It is important to note that Senate Resolution 400 of the 94th Congress, which established the Select Committee and sets forth its jurisdiction, speaks directly to the issue of other committees' prerogatives. Thus, section 3(c) states that:

Nothing in this resolution shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee. (emphasis added)

And section 3(d) declares that:

Nothing in this resolution shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the Senate to obtain full and prompt access to the product of the intelligence activities of any department or

The Honorable William J. Casey
February 26, 1986
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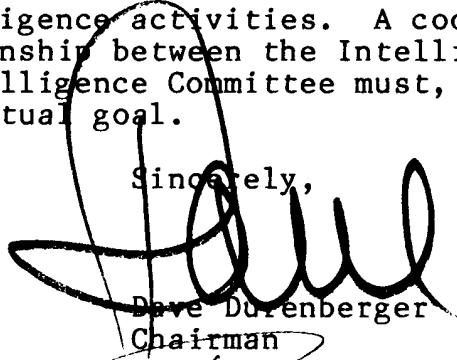
agency of the Government relevant to a
matter otherwise within the jurisdiction
of such committee. (emphasis added)

These provisions must, of course, be read in conjunction
with the later enacted statutory provisions on Congressional
oversight in title V of the National Security Act.

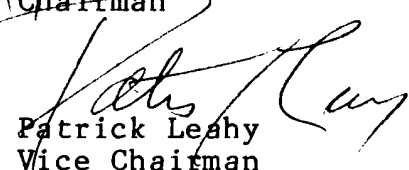
It seems to us, therefore, that while it probably
would not be possible for the Select Committee to assert
jurisdiction over intelligence matters with absolute
exclusivity, a strong case can be made for confining
sensitive operational details and sources and methods
information to the SSCI. Judgments about the appropriate-
ness of imparting intelligence information to other
committees of the Congress must, of course, depend on
the facts and circumstances of particular cases. As in
the past, the Select Committee stands ready to extend
its good offices and provide its physical facilities so
that information may be provided to other committees or
Members under SSCI auspices with the protections afforded
by section 8 of Senate Resolution 400. We also stand
ready to consult with you if problems similar to those
you described in your letter to HPSCI Chairman Hamilton
should arise in the Senate.

In the final analysis, Bill, we believe that the
surest way of avoiding the kinds of problems you have
described lies in maintaining amongst the Members of the
Senate the conviction that the Select Committee on
Intelligence is engaged in secure and effective oversight
of our nation's intelligence activities. A cooperative
and productive relationship between the Intelligence
Community and the Intelligence Committee must, therefore,
remain our constant mutual goal.

Sincerely,



Dave Durenberger
Chairman



Patrick Leahy
Vice Chairman

United States Senate

SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, DC 20510

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Don Rumburg
U.S.S.

The Honorable William J. Casey
Director of Central Intelligence
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